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CANADIAN COUNTY, OKLAHOMA



IN THE DISTRICT COURT OF CANADIAN COUNTY
STATE OF OKLAHOMA

AUG - 5 2022

BY [Signature]
DEPUTY

EARLENE CARR,

Plaintiff,

vs.

OGNJEN MILANOVIC,

HL MOTOR GROUP, INC,

HIGHLIGHT MOTOR FREIGHT
USA, INC.,

OLD REPUBLIC INSURANCE COMPANY, and

GALLAGHER BASSET SERVICES, INC.,

Defendants.

Case No. CJ-2022-446

CASE ASSIGNED TO:

JACK D. MCCURDY II

JUDGE: _____

PETITION

COMES NOW, EARLENE CARR, ("Plaintiff"), and for her claims against the
Defendants, states as follows:

JURISDICTION AND VENUE

1. This Court has personal jurisdiction over Defendants.
2. This Court has subject matter jurisdiction.
3. This Court is a proper venue.

CAUSES OF ACTION

COUNT 1 - NEGLIGENCE

4. On or about August 8, 2020, Defendants were negligent and reckless in the operation of a motor vehicle, causing a massive collision of a semi-truck and trailer into the home of Plaintiff, which is located in Canadian County, Oklahoma.

5. Plaintiff brings this cause of action against Ognjen Milanovic ("Milanovic") because he chose to drive negligently and recklessly in Canadian County, Oklahoma, which resulted in serious damage to the home of Plaintiff, and for Plaintiff to incur expenses which have not been reimbursed to her.
6. Plaintiff brings this cause of action against HL Motor Group, Inc.. ("HL Motor Group") because Milanovic is believed to have been within the course and scope of his employment and/or agency with HL Motor Group at the time he caused damage to Plaintiff's home leading to numerous out-of-pocket expenses paid by Plaintiff, and because HL Motor Group is believed to be the registered owner of the vehicle driven by Defendant, Milanovic.
7. Plaintiff brings this cause of action against Highlight Motor Freight USA, Inc. ("HL Motor Freight") because Milanovic is believed to have been within the course and scope of his employment and/or agency with HL Motor Freight at the time he caused damage to Plaintiff's home leading to numerous out-of-pocket expenses paid by Plaintiff, and because HL Motor Freight is believed to be the registered owner of the vehicle driven by Defendant, Milanovic.
8. Plaintiff brings this cause of action against Old Republic Insurance Company because it insured the other named Defendants on the date of the collision.
9. Plaintiff brings this cause of action against Gallagher Bassett Services, Inc. ("Gallagher Bassett") because it is the agent/third-party administrator for Old Republic Insurance Company.

10. Milanovic is the driver who caused damage to Plaintiff's home causing her to incur significant expenses for which she has not been reimbursed, and is believed to reside in Ontario, Canada.
11. HL Motor Group, a company that Milanovic is believed to have acted on behalf of and who is believed to own the vehicle Milanovic was operating at the time of the collision, is a corporation operating out of and is believed to be headquartered in Ontario, Canada.
12. HL Motor Freight, a company that Milanovic is believed to have acted on behalf of and who is believed to own the vehicle Milanovic was operating at the time of the collision is a corporation operating out of and is believed to be headquartered in Ontario, Canada.
13. Old Republic Insurance Company, the insurance company for the other Defendants is a corporation headquartered in the State of Wisconsin.
14. Gallagher Bassett, the agent/third-party administrator for Old Republic Insurance Company, is a corporation headquartered in the State of Iowa.
15. At the time of the collision, Milanovic, while in the course and scope of his employment and/or agency with HL Motor Group and HL Motor Freight, chose to operate a semi-tractor and trailer negligently and recklessly on in Yukon, Canadian County, Oklahoma, in violation of Oklahoma law and with reckless disregard for the safety of all Oklahomans.
16. As a direct and proximate result of the foregoing, Milanovic, HL Motor Group, HL Motor Freight and Old Republic Insurance Company caused a collision into the home of Plaintiff which resulted in significant damage to Plaintiff's home and caused Plaintiff to incur significant expenses, which have not been reimbursed to Plaintiff.

17. All damages caused by Milanovic were caused while he is believed to have been within the course and scope of his employment and/or agency and/or joint mission for HL Motor Group and HL Motor Freight.
18. HL Motor Group, HL Motor Freight, Old Republic Insurance Company and Gallagher Bassett are liable for all damages caused by Milanovic.
19. HL Motor Group and HL Motor Freight negligently hired, trained and supervised Milanovic.
20. HL Motor Group and HL Motor Freight had a duty to ensure Milanovic was a safe and prudent driver before allowing Milanovic to operate a semi-tractor and trailer upon public roadways. HL Motor Group and HL Motor Freight breached this duty.
21. HL Motor Group and HL Motor Freight were negligent and reckless separate and independent of Milanovic.
22. HL Motor Group and HL Motor Freight negligently and recklessly entrusted its semi-tractor and trailer to Milanovic.
23. At all times material to this case, Milanovic, HL Motor Group and HL Motor Freight acted with reckless disregard for the safety and property of Oklahomans, including Plaintiff.
24. As the insurer for Milanovic, HL Motor Group and HL Motor Freight, Old Republic Insurance Company is liable for all damages described herein.
25. As the agent/third-party administrator for Milanovic, HL Motor Group and HL Motor freight, Gallagher Bassett is liable for all damages described herein.
26. As a direct result of the events described herein, Plaintiff incurred damages in an amount less than \$75,000.

27. The actual damage categories for the jury to determine in this case are the following:

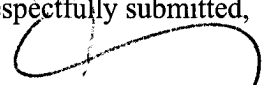
- a. Out of pocket expenses incurred by Plaintiff for items listed on the attached Claims Summary, specifically, Unreimbursed Losses and Expenses.
- b. Other damages to be set forth at the conclusion of discovery.

For these reasons, Plaintiff demands judgment against Defendants for an amount less than \$75,000 in damages together with attorney fees, costs, interest, and for any other such relief as the Court deems equitable.

ATTORNEY'S LIEN CLAIMED

JURY TRIAL DEMANDED

Respectfully submitted,



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